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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,997	01/16/2004	Yong-duk Lee	1349.1354	5026

21171 7590 04/07/2005

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EXAMINER

MORRISON, THOMAS A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,997

Applicant(s)

LEE ET AL.

Examiner

Thomas A. Morrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/16/04 & 9/07/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: (1) it is unclear what is meant by the brief description of the drawings for Figs. 8A, 8B, 9A, 9B, 10A, and 10B in the numbered paragraph [0021]; and (2) it is unclear what is meant by the brief description of the drawings for Figs. 11A, 11B, 12A, 12B, 13A, 13B, 13A and 14B in the numbered paragraph [0021].

Appropriate correction is required.

Claim Objections

2. Claim 17 is objected to because of the following informalities: (1) "main boy" should be -- main body --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Regarding independent claims 1 and 25 and their dependent claims 2-24, there is insufficient structural relationship recited in independent claims 1 and 25, between the cassette and the other elements, to understand how the cassette is automatically moved between the storage position and the paper feeding position.

Regarding claim 2, there is insufficient structural relationship recited between the feeder opening and closing unit, the paper cassette and the pickup roller and feed roller, to understand how the recited function is performed.

Regarding claim 9, it is unclear how the carrier exerts a force on the actuating lever.

Claim 12 recites the limitations "the paper", "the actuating lever" and "the carrier" in lines 3-6. There is insufficient antecedent basis for these limitations in the claim.

Claim 13 recites the limitation "the second restoring member" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Also, with regard to claim 25, there is insufficient structural relationship recited between the movement-transforming member and the knockup plate, to understand how the knockup plate is moved.

The above rejections are exemplary of indefiniteness problems with the claims. Applicant should make the claim language consistent throughout the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 2, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,095,515 (Kiyohara et al.). In particular, the Kiyohara et al. patent discloses all of the limitations of claims 1 and 2.

Regarding claim 1, Kiyohara et al. discloses a paper feeding apparatus of an image forming device (column 1, lines 1-20), including

a main body (including 1 and 2); and

a paper cassette (4), rotatably connected (via 4a) to the main body (including 1 and 2), automatically moved between a storage position (Fig. 3) and a paper feeding position (Fig. 5), and storing paper (S) in both the storage and paper feeding positions.

Regarding claim 2, Kiyohara et al. discloses a feeder opening and closing unit (including 7, 8, M and 34) automatically moving the paper cassette (4) between the storage position (Fig. 3) and the paper feeding position (Fig. 5) by selectively employing a driving source that drives a pickup roller (9) and a feed roller (13).

5. Claims 1, 2 and 25, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,050,687 (Spence-Bate). In particular, the Spence-Bate patent discloses all of the limitations of claims 1, 2 and 25.

Regarding claim 1, Figs. 2-3 show a paper feeding apparatus of an image forming device (Abstract), including

a main body (including 4); and

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a paper cassette (11), rotatably connected (column 2, lines 16-18) to the main body (4), automatically moved between a storage position (Fig. 3) and a paper feeding position (Fig. 2), and storing paper (6) in both the storage and paper feeding positions.

Regarding claim 2, discloses a feeder opening and closing unit (including 25, 28, 29, 30 and 19) automatically moving the paper cassette (11) between the storage position (Fig. 3) and the paper feeding position (Fig. 2) by selectively employing a driving source that drives a pickup roller (27) and a feed roller (26).

Regarding claim 25, Figs. 2-3 show a paper feeding apparatus of an image forming device (Abstract), including

a main body (4);

a paper cassette (11) having a knockup plate (near 13), rotatably connected (column 2, lines 16-18) to the main body (4), and storing paper in a storage position (Fig. 3) and a paper feeding position (Fig. 2);

an actuator (25); and

a carrier (unnumbered pulley attached to actuator 25), engaging the actuator (25) to selectively employ a driving source that drives a pickup roller (27) and a feed roller (26) to automatically move the paper cassette (11) between the storage position (Fig. 3) and the paper feeding position (Fig. 2), and engage a movement-transforming member (including 28 and 29) transforming linear motion in a first direction (i.e., left or right motion of horizontal upper portion of 28 in Fig. 1) to linear motion in a second direction perpendicular to the first direction (i.e., vertical movement of left-hand portion


of 29 in Fig. 1) to move the knockup plate (near 13) to move the paper toward the feed roller (27).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is 703-305-0554. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DONALD WALSH
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